



# **CITY OF FREMONT NEBRASKA**

## **COMMUNITY DEVELOPMENT AGENCY MEETING MINUTES**

**July 9, 2019, 7:00 P.M.**

**City Council Chambers 400 East Military, Fremont NE**

1. Meeting called to order. Chairman Getzschman called the meeting of the Community Development Agency to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.
2. Roll call. Roll call showed Members Ellis, Kuhns, Yerger, Jensen, Jacobus, McClain and Legband present. Bechtel absent. 7 Members present.
3. Public Hearing and Resolution 2019-005 for amendment to the 23<sup>rd</sup> and Bell redevelopment plan for Fountain Springs Apartment Properties generally located at the northwest corner of 29<sup>th</sup> Street and Yager, and south of 32<sup>nd</sup> Street. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Member Legband moved, seconded by Member Kuhns to approve Resolution 2019-005. Ayes: McClain, Kuhns, Legband. Nays: Ellis, Yerger, Jensen, Jacobus. Motion failed.
4. Resolution 2019-006 approving the Redevelopment agreement for the Fountain Springs 55+ Apartment Redevelopment Project and authorizing the issuance of tax increment financing indebtedness. No action was taken.
5. Adjournment. Moved by Member Jacobus seconded by Member McClain to adjourn the meeting. Ayes: McClain, Ellis, Yerger, Jensen, Jacobus, Kuhns. Nay: Legband. Motion carried. Meeting adjourned at 7:50 p.m.

## **CITY COUNCIL MEETING MINUTES**

**July 9, 2019**

**City Council Chambers 400 East Military, Fremont NE**

**REGULAR MEETING – 7:00 P.M.**

**STUDY SESSION – 6:45 P.M.**

### **AGENDA**

#### **REGULAR MEETING:**

1. Meeting called to order. After Study Session and the Pledge of Allegiance, the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.
2. Roll call. Roll call showed Council Members McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus and Legband present. Bechtel absent. 7 Councilmembers present.
3. Mayor comments

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

#### **PUBLIC HEARINGS:**

4. Resolution 2019-117 for amendment to the 23<sup>rd</sup> and Bell redevelopment plan for Fountain Springs Apartment Properties generally located at the northwest corner of 29<sup>th</sup> Street and Yager, and south of 32<sup>nd</sup> Street. Councilmember McClain moved, seconded by Councilmember Legband to continue the item until the August 13, 2019 City Council meeting. Ayes: Getzschman, McClain, Ellis, Kuhns, Legband. Nays: Jensen, Yerger, Jacobus. Motion carried.
5. Resolution 2019-118 to allow SBA Towers II LLC and T-Mobile Central LLC to add new equipment to existing tower located at 600 S. Main Street. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Councilmember Jensen moved, seconded by Councilmember McClain to approve Resolution 2019-118. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
6. Resolution 2019-116 to approve a conditional use permit for a 39 unit multi-family housing development on behalf of Suncap Associates, LP and Capstone Development Group generally located at Jack Sutton Drive and Sunridge Lane. Councilmember Legband moved, seconded by Councilmember Jacobus to receive into the record a document titled "Capstone Development Group LLC". Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Councilmember Jacobus moved, seconded by Councilmember Kuhns to approve Resolution 2019-116. Ayes: McClain, Ellis, Kuhns, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried.

#### **CONSENT AGENDA:**

Moved by Council Member Legband seconded by Council Member Jensen to approve items 8, 9, 12, 14, 15, 21, 22, 23 & 24 of the consent agenda. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

8. Receive Report of the Treasury.
9. Dispense with and approve June 25, 2019 City Council Meeting Minutes.
12. Resolution 2019-122 of the City Council of the City of Fremont, Nebraska approving the Amendment to Business Associate Agreement with Blue Cross Blue Shield of Nebraska.
14. Resolution 2019-123 authorizing execution of Option 3a of the Guaranteed Minimum Interest Rate Change: Options form and the Application for Group Flexible Purchase Payment Deferred Fixed Annuity Contract.
15. Resolution 2019-124 of the City Council of the City of Fremont, Nebraska approving the addition of a Roth option to the 457(b) retirement plan administered by Principal and authorizing execution of the Governmental 457(b) Roth Deferral Amendment.
21. Motion to approve excavation/asphalt/concrete license application for Frost FiberTech Inc.
22. Resolution 2019-127 adopting and approving the execution of an Agency Agreement with the Nebraska Department of Transportation, Aeronautics Division for Project No. 3-31-0029-012-2019 to be submitted by the Department the Federal Aviation Administration to Obtain Federal Assistance for the Development of the Airport.
23. Resolution 2019-133 to enter in to agreement with Douglas County Communications for radio network support and monitoring.
24. Resolution 2019-128 accepting the grant award and authorizing staff to execute necessary documents for the Nebraska Department of Environment and Energy Waste Reduction and Recycling Incentive Grant.



## **ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:**

7. Motion to approve June 26, 2019 through July 9, 2019 claims and authorize checks to be drawn on the proper accounts. Councilmember Jensen moved, seconded by Councilmember Jacobus to approve June 26, 2019 through July 9, 2019 claims and authorize checks to be drawn on the proper accounts. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
10. Resolution 2019-132 approving request of Fremont Rotary Club to use the Fremont Municipal Airport for a Fly-in Breakfast on August 25, 2019 from 7:00 a.m. to 2:00 p.m. Councilmember Kuhns moved, seconded by Councilmember McClain to approve Resolution 2019-132. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
11. Resolution 2019-121 of the City Council of the City of Fremont, Nebraska approving the Administrative Services Agreement for the 2018-2019 plan year with Blue Cross Blue Shield of Nebraska. Councilmember Jacobus moved, seconded by Councilmember Yerger to approve Resolution 2019-121. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried
13. Motion to grant permission to Fremont Squadron and Nebraska Wing of Civil Air Patrol to use City Well Field for training, July 26-28, 2019. Councilmember Kuhns moved, seconded by Councilmember Jacobus to grant permission to Fremont Squadron and Nebraska Wing of Civil Air Patrol to use City Well Field for training, July 26-28, 2019. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
16. Resolution 2019-125 of the City Council of the City of Fremont, Nebraska approving the Stop Loss Policy for the 2018-2019 plan year with Blue Cross Blue Shield of Nebraska. Councilmember Yerger moved, seconded by Councilmember Jensen to approve Resolution 2019-125. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
17. Resolution 2019-126 of the City Council of the City of Fremont, Nebraska approving the Best Care EAP Annual Service Update for August, 2019. Councilmember Jacobus moved, seconded by Councilmember McClain to approve Resolution 2019-126. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
18. Move to approve the recommendation of the Mayor to make appointments to the Airport Advisory Board. Councilmember Jensen moved, seconded by Councilmember Kuhns to approve recommendation of the Mayor's appointments to the Airport Advisory Board. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
19. Move to approve the recommendation of the Mayor to make appointment to the Utility and Infrastructure Board. Councilmember Kuhns moved, seconded by Councilmember Legband to approve the Mayor's appointment to the Utility and Infrastructure Board. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
20. Move to approve the recommendation of the Mayor to make appointment to the Local Option Review Team. Councilmember McClain moved, seconded by Councilmember Jacobus to approve the Mayor's appointments to the Local Option Review Team. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
25. Resolution 2019-129 of the City Council of the City of Fremont, Nebraska authorizing Staff to execute a 2-year agreement with Polydyne for chemicals used for bio-solids processing in the amount of \$1.83 per pound. Councilmember Yerger moved, seconded by Councilmember Jacobus to approve Resolution 2019-129. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
26. Resolution 2019-130 of the City Council of the City of Fremont, Nebraska, authorizing City of Fremont,



Department of Utilities Staff to sign a purchase agreement with Honeywell for proposal number 932535A19 Rev. 1 for a control system hardware refresh. Councilmember Legband moved, seconded by Councilmember Jacobus to receive into the record updated memo and resolution. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Councilmember Jacobus moved, seconded by Councilmember Legband to amend Resolution 2019-130 to the version received. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Councilmember Jacobus moved, seconded by Councilmember Legband to approve Resolution 2019-130 as amended. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

27. Resolution 2019-131 of the City Council of the City of Fremont, Nebraska, authorizing City of Fremont, Department of Utilities Staff to sign a purchase agreement with Shuttlewagon for a SWX525 Railcar Mover. Councilmember Jacobus moved, seconded by Councilmember Jensen to approve Resolution 2019-131. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

**UNFINISHED BUSINESS: requires individual associated action**

28. Ordinance 5496 approving request by Anew Development, LLC. for Voluntary Annexation of Lot 2, Fountain Springs 4<sup>th</sup> Subdivision located at the northwest corner of 29<sup>th</sup> Street and Yager – Fountain Spring Adult Apartment Properties (final reading). Councilmember Kuhns moved, seconded by Councilmember Legband to continue the item to the August 13, 2019 City Council meeting. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried

**NEW BUSINESS: requires individual associated action**

29. Resolution 2019-119 approving the Redevelopment agreement for the Fountain Springs 55+ Apartment Redevelopment Project and authorizing the issuance of tax increment financing indebtedness. Councilmember Legband moved, seconded by Councilmember Kuhns to continue the item to the August 13, 2019 City Council Meeting. Ayes: McClain, Ellis, Kuhns, Jensen, Legband. Nays: Yerger, Jacobus. Motion carried.
30. Resolution 2019-120 approving Declaration of Official Intent to reimburse certain expenses from the proceeds of the Highway Allocation Pledge Bonds yet to be issued. Councilmember Kuhns moved, seconded by Councilmember Jensen to approve Resolution 2019-120. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
31. Adjournment. Moved by Council Member Jacobus seconded by Council Member Legband to adjourn the meeting. Ayes: McClain, Ellis, Yerger, Jensen, Jacobus, Kuhns, Legband. Motion carried. Meeting adjourned at 9:35 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on May 24, 2019 and is open to the public; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 30TH DAY OF JULY AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR JULY 9, 2019.

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Tyler Ficken, City Clerk

  
Scott Getzschman, Mayor